

FEB 19 2019

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

BY

DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

AUBREY N TAYLOR
(Name of Plaintiff)

19-CV-234-TSZ-MAT

vs.

CIVIL RIGHTS COMPLAINT
BY A PRISONER UNDER 42
U.S.C. § 1983

ERIC TUNG

(Names of Defendant(s))

I. Previous Lawsuits:

A. Have you brought any other lawsuits in any federal court in the United States while a prisoner?:

☐ Yes ☒ No

B. If your answer to A is yes, how many?: _____ Describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff: _____

Defendants: _____

2. Court (give name of District): _____
3. Docket Number: _____
4. Name of judge to whom case was assigned: _____
5. Disposition (For example: Was the case dismissed as frivolous or for failure to state a claim? Was it appealed? Is it still pending?):

6. Approximate date of filing lawsuit: _____
7. Approximate date of disposition: _____

II. Place of Present Confinement: SEA-TAC F.D.C., P.O. Box 13900, Seattle, WA 98198

A. Is there a prisoner grievance procedure available at this institution? ☐ Yes ☒ No

B. Have you filed any grievances concerning the facts relating to this complaint?
☐ Yes ☒ No

If your answer is NO, explain why not:

I was told that my complaint is not a F.B.O.P. issue.

C. Is the grievance process completed? ☐ Yes ☒ No

If your answer is YES, ATTACH A COPY OF THE FINAL GRIEVANCE RESOLUTION for any grievance concerning facts relating to this case.

III. Parties to this Complaint

A. Name of Plaintiff: AUBREY V. TAYLOR Inmate No.: 36873-086

Address: Sea-Tac F.D.C., P.O. Box 13900, Seattle, WA 98198

(In Item B below, place the full name of the defendant, his/her official position, and his/her place of employment. Use item C for the names, positions and places of employment of any additional defendants. Attach additional sheets if necessary.)

B. Defendant: ERIC TUNG Official Position: Police officer

Place of employment: Kent Police Department

C. Additional defendants _____

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates, places, and other persons involved. Do not give any legal arguments or cite any cases or statutes. If you allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.)

On June 15, 2016, Mr. Taylor stepped out of a hotel room located at the Hawthorne suites in Kent, WA. As Mr. Taylor proceeded to walk towards the parking lot carrying a duffie bag, smoking on marijuana and talking on his cell phone he witnessed several officers appear out of nowhere with guns drawn yelling and demanding that he get on the ground immediately because he was under arrest. Mr. Taylor could not figure out who officers were speaking to nor could he figure out why he would be under arrest since he was in good standing with his bail bondsman and had no outstanding warrants that he was aware of. While trying to figure out what was going on Mr. Taylor observed Kent P.D. officer Tung along with his K-9 partner to the right of him about 20 yards yelling for Mr. Taylor to comply with the orders he was given by officer Tung. Mr. Taylor does not recall his name being called but he does remember officer Tung saying "get on the ground you are a bad man" while Kato barked at Mr. Taylor. Mr. Taylor remained in shock still trying to figure out what was going on and after hearing several demands to get on the ground Mr. Taylor chose to kneel down to the ground and in the process of doing so officer Tung deployed Kato to contact and attack Mr. Taylor while he was already laying on the ground with his arms spread out in front of him and attacked on his lower right side of his back. Mr. Taylor began to yell out in pain from the bite and begged the officers to get the dog off of him since he did not pose any danger or a threat to officers nor did he make any attempt to flee from law enforcement. However Mr. Taylor was not relieved of this dog attack until after officers moved in and got on top of Mr. Taylor with their knees in his back as they handcuffed him. Mr. Taylor was searched for weapons and was not in possession of any dangerous weapons. Mr. Taylor does not have any prior arrest where he was found to be in possession of a firearm nor does he have any arrest for evading or resisting arrest on his criminal record. Furthermore Mr. Taylor does not have any violent crimes on his record besides misdemeanor assault & charges from 2011, other than that there is nothing on his record that describes Mr. Taylor as a armed and dangerous person with the potential of flight. Officers were conducting an arrest for misdemeanor no contact order violations and a federal complaint for sex trafficking, none of these charges constitute as violent crimes, yet officers used excessive force to arrest Mr. Taylor while at least 8 officers had him held at gun point and he was carrying a big duffie bag full of clothes and shoes, moreover Mr. Taylor never made an attempt to flee nor did he say or do anything to make officer's believe they were in any danger. Thus this arrest was in violation of Mr. Taylor's Fourth Amendment rights

V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

I am requesting money and damages in A amount to be determined.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 14 day of February 20 19.

Aubrey Taylor

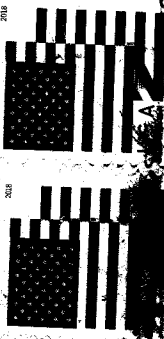
(Signature of Plaintiff)

FEDERAL DETENTION CENTER

NAME: AUBREY TR410R

REG-36823-886

UNIT D-8



CLERK, U.S. District Court
700 Stewart Street, Suite 2310
Seattle, WA 98101-1271

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